IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 29017 of 2007(D)

PETITIONER:

P.O.DEVASSYKKUTTY, POTTAKKARAN HOUSE,
CHENGALKKARA, VADAKKUMBHAGOM, ALUVA.

BY ADV. SRI.C.A.SADASIVAN
SRI.S.ABU BAKER KUNJU
SRI.P.BALAKRISHNAN

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY (TAXES),
THIRUVANANTHAPURAM - 1.

2. DEPUTY COMMISSIONER,
COMMERCIAL TAX DEPARTMENT,
MATTANCHERY.

3. DISTRICT COLLECTOR, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 29017 OF 2007 D

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Dated this the 25th day of October, 2007

J U D G M E N T

This writ petition was filed on the basis that although hearing on Ext.P4 revision petition took place on 11/6/06, without passing orders thereon, revenue recovery proceedings would be initiated for recovering the penalty imposed on the petitioner by Ext.P3 order.

This case was adjourned with a direction to the learned Government pleader to ascertain the correctness of the submissions made that the appeal has already been heard. On instructions, today, the learned Government pleader informs that though hearing was held on 11/6/06, orders were not passed by the then officer. His successor again heard the parties on 15/10/2007 and passed orders on 16/10/2007. A copy of the said order has been made available to the counsel for the writ petitioner today. In view of this, I think that there is no need for entertaining this writ petition. Writ petition is dismissed.

ANTONY DOMINIC, JUDGE.

Rp